THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.15328 OF 1999

07.3.2006

Between:

V.S.N.Benarjee, S/o.Nagabhushanam

And others

… Petitioners

AND

Government of A.P., represented by its Principal Secretary,

Panchayat Raj and Rural Development Department,

Secretariat, Hyderabad.

And another

… Respondents

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WRIT PETITION No.15328 OF 1999

ORDER:

The petitioners are special class contractors registered with Government of Andhra Pradesh. In this writ petition, they assail the orders of the Government in G.O.Ms.No.301, Panchayat Raj and Rural Development Department, dated 13.7.1998. By the said Government Order, the Government permitted Executive Engineers of Panchayat Raj Department to conclude supplemental agreements with the contractors for works under execution and to be entrusted in future to deduct 0.25% gross amount of bills and remit the same to the Institute of Construction Technology of India at Hyderabad by 5th of every succeeding month. Government also requested the Engineer-in-chief, Panchayat Raj, the second respondent herein, to issue necessary instructions to all the concerned.

This is an old matter and in spite of the same, learned Counsel for the petitioners is absent and there is no representation. However, the learned Assistant Government Pleader for Panchayat Raj very fairly submitted that the question raised in the writ petition is squarely covered by the judgment of this Court in W.P.No.11034 of 2001

and batch dated 13.12.2001. In the said judgment, this Court disposed of the writ petitions while holding that G.O.Ms.No.301 dated 13.7.1998 is only prospective and that the same shall not apply to the contracts concluded prior to the date of G.O.

Following the above judgment, this writ petition is also disposed of. No costs.

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(**V.V.S.RAO, J**)

March 07, 2006

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